

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN DANIEL MOONEY,

Plaintiff,

v.

DEBORAH A. MOONEY,

Defendant.

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Civil Action No. 05-10502-JLT

ORDER

October 18, 2005

TAURO, J.

Even where a federal court has jurisdiction, it may abstain from cases better handled by the state courts. Canevero v. Rexach, 793 F.2d 417, 418 (1st Cir. 1986). Such abstention, for reasons of comity and common sense, is often appropriate in cases involving matrimonial and family matters. Id. Because this case is a domestic relations matter, and a substantially similar action is pending in the Plymouth County Probate and Family Court, this Court, after considering the Parties' oral arguments at a Hearing held on October 4, 2005, hereby orders that:

1. Defendant's Motion for the Court to Decline Jurisdiction [#8] is ALLOWED.

IT IS SO ORDERED.

/s/ Joseph L. Tauro

United States District Judge